IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15087 of 2004

Between:

M/s. Omtex Limited, 2-4-140, Konery Market, Ramgopalpet, Secunderabad - 500 003. Rep. by its Director Sri Naveen Agarwal.

..... PETITIONER

AND

1 Regional Provident Fund Commissioner Bhavisya Veedhi Bhavan, Barkatpura, Hyderabad.
2 Provident Fund Organisation Sub-Accounts Office, Patancheru, Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue suitable direction order or a Writ Particularly one in the nature of Mandamus directing the respondents to grant 24 monthly equal installments for payment of the dues as demanded in the order bearing No.AP/26269/SAO/PTC/ENF(Recy)/Rc.No.18/01/2004/ 763 dated 20-07-2004

Counsel for the Petitioner: MR.C.NIRAJAN RAO

Counsel for the Respondents: MR.R.N.REDDY

The Court made the following ORDER:

Petitioner is not disputing the liability as assessed by the respondents under Section 7A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act'). He only seeks indulgence of this Court in granting twenty installments for payment of the said amount.

Heard the counsel on either side.

The learned Standing Counsel for the respondents submits that the respondents have no objection to receive the amount in installments.

Having regard to the facts and circumstances of the case and as the petitioner has already paid a sum of Rs.30,000/- leaving balance of Rs.1,31,731/- and agreed to deposit a further sum of Rs.25,000/- on or before 22.09.2004, the writ petition is disposed of permitting him to pay the balance amount in 10 equal monthly installments, payable on or before 15th of every month, commencing from October 2004. If the petitioner regularly pays the said installments, the respondents are directed not to take any coercive steps. In default, it is open for the respondents to proceed against the petitioner in accordance with law.

The writ petition is accordingly disposed of with the above directions. No costs.

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A.Gopal Reddy, J

Date: 25.08.2004

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To

1 Regional Provident Fund Commissioner Bhavisya Veedhi Bhavan, Barkatpura, Hyderabad.
2 Provident Fund Organisation Sub-Accounts Office, Patancheru, Medak District.

3 Two CD Copies